



Town Board

237 Rt 59
Suffern, NY 10901

Meeting: 07/08/20 07:00 PM
DOC ID: 6219

SCHEDULED

Settlement of Monopole Federal Court Litigation

WHEREAS, the Town of Ramapo and its Officials (the “Defendants”) were named as Defendants in a Federal Court litigation entitled “T-Mobile Northeast LLC, et al v. The Town of Ramapo, et al, in the United States District Court for the Southern District of New York under Docket Number 19-cv-06960 (the “Litigation”), and

WHEREAS, this Litigation involved the proposed location of A 100-foot monopole designed to resemble a tree at property located at 274 Old Nyack Turnpike, Spring Valley, New York (the “Location”) and the Defendants having previously denied the application for said Location, and

WHEREAS, the Defendants’ lawful right to oppose the Location of this monopole is limited by provisions of the Telecommunications Act of 1966 (“TCA”) and the Litigation asserts that the Defendants violated said TCA, and

WHEREAS, subsequent to said Litigation, Counsel for the Defendants entered into settlement negotiations to provide for the best lawful conditions that could be imposed on the use of the Location and monopole that would be permitted under applicable law and those conditions have been agreed to by the Plaintiffs in said Litigation, and

WHEREAS, Counsel for the Defendants has negotiated a Stipulation of Settlement and Consent Order (the “Stipulation”) which sets for all of the aforesaid conditions for use of the Monopole at the Location and has recommended that the Town Board authorize the Town Supervisor to execute said Stipulation as a means of resolving this Litigation.

NOW THEREFORE, it is resolved by the Town Board as follows:

(1) All “WHEREAS” paragraphs above stated are hereby incorporated herein by reference as though set forth in full.

(2) The Town Board hereby authorizes the Town Supervisor to execute said Stipulation and all other required documents to settle and resolve this Litigation in the form as recommended by the Town Attorney.

(3) This Resolution shall take effect immediately.